

REMARKS

Claims 1-15 presented for examination have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Deng. This rejection is respectfully traversed for the following reasons.

Independent claim 1 recites a data communication system comprising:

- multiple switching devices for switching data packets, and
- an expansion bus for transferring the data packets between the switching devices.

The claim specifies that each switching device has an address processing block for comparing destination address information of a received data packet with current address information, and produces a match signal supplied to another switching device when the destination address information matches the current information.

Independent claim 10 recites a method of data switching in a data switching system having multiple switching devices. The method comprises the steps of:

- comparing destination address information of a received data packet with first current address information maintained by a first switching device, and
- supplying a match signal to a second switching device when the destination address information matches the first current address information.

It is well settled that in the application of a rejection under 35 U.S.C. § 103, it is incumbent upon the Examiner to factually support a conclusion of obviousness. The Examiner must provide reasons why one having ordinary skill in the art would have been led to modify the prior art or to combine prior art references to arrive at the claimed invention. *Ashland Oil, Inc. v. Delta Resins & Refractories, Inc.*, 776 F.2d 281, 227 USPQ 657 (Fed. Cir. 1985). *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); *Stratoflex, Inc. v. Aeroquip Corp.*, 713 F.2d

1530, 218 USPQ 871 (Fed. Cir. 1983); *In re Warner*, 379 F.2d 1011, 154 USPQ 173 (CCPA 1967).

These showings by the Examiner are an essential part of complying with the burden of presenting a *prima facie* case of obviousness. *In re Oetiker*, 977 F.2d 1443, 1445, 24 USPQ2d 1443, 1444 (Fed. Cir. 1992).

With respect to claims 1 and 10, the Examiner has failed to provide the requisite reasons for modifying Deng and thus to establish a *prima facie* case of obviousness.

Moreover, the Examiner has apparently failed to give adequate consideration to the particular problem and solution addressed by the claimed invention. *Northern Telecom, Inc. v. Datapoint Corp.*, 908 F.2d 931, 15 USPQ2d 1321 (Fed. Cir. 1990); *In re Rothermel*, 276 F.2d 393, 125 USPQ 328 (CCPA 1960). Specifically, as disclosed in the specification, the present invention offers a mechanism that enables a switching system using multiple switching devices to share address table information among the switching devices to prevent frame flooding via the expansion bus connecting the switching devices. The address table information is shared using a match signal supplied by a first switching device to a second switching device when the destination address information of a received data packet matches the current information stored by the first switching device.

The reference does not address the problem and solution addressed by the claimed invention.

Moreover, the reference does not disclose producing a match signal supplied to another switching device when the destination address information of a received packet matches the current information, as claims 1 and 10 require.

By contrast, as shown in FIG. 7 of Deng, when the destination address is found in the

address table (block 156), the data packet is ignored (block 158). The reference specifies that “in this case, the data packet is being sent to another device within the LAN segment connected to LAN port 102. (col. 6, lines 57-59).

Hence, the Deng system does not produce a match signal to prevent packet flooding. Instead, it sent the packet to another device within the LAN.

It is noted that even if the Examiner considered the sent data packet to correspond to the match signal, this packet is sent to another device within the LAN segment connected to LAN port 102, rather than to another switching controller considered by the Examiner to correspond to the claimed switching device.

Accordingly, Applicant submits that the rejection of claims 1-15 under 35 U.S.C. § 103 is improper and should be withdrawn.

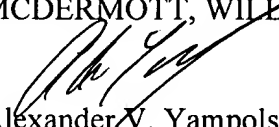
Dependent claims 2, 3, 11 and 12 have been amended to further define the claimed invention.

In view of the foregoing, and in summary, claims 1-15 are considered to be in condition for allowance. Favorable reconsideration of this application, as amended, is respectfully requested.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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